

County of Santa Clara

Recycling and Waste Reduction Commission of Santa Clara County
Recycling and Waste Reduction Division

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RECYCLING AND WASTE REDUCTION COMMISSION MINUTES

October 26, 2016

Isaac Newton Senter Auditorium

70 W. Hedding Street

San Jose CA 95110

Business Meeting at 5:30 p.m.

Voting Members in Attendance

Jim Griffith, City of Sunnyvale
Michael F. Kotowski, City of Campbell
Linda J. LeZotte, SCVWD
Teresa O'Neill, City of Santa Clara
Mike Wasserman, County of Santa Clara

Representing

SMaRT Station® Cities
West Valley Cities
Santa Clara Valley Water District
Central County Cities
County of Santa Clara

Voting Members Not in Attendance

Manh Nguyen, City of San Jose
Jan Pepper, City of Los Altos
Greg Scharff, City of Palo Alto
Rod Sinks, City of Cupertino
Cat Tucker, City of Gilroy

Representing

City of San Jose
Member at Large
Member at Large
North County Cities
South County Cities

County Staff to the Commission

Bill Grimes, Manager, TAC Administrator
Lisa Rose, Commission Staff

Others in Attendance

Mark Bowers, City of Sunnyvale
Matthew Chavez, Silicon Valley Talent Partnership
Anthony Eulo, City of Morgan Hill and TAC Chair
Matt Krupp, City of Palo Alto
Alana Rivadeneyra, City of San Jose
Cole Smith, Composting Education Program
Dave Staub, City of Santa Clara

Commissioners: James R. Griffith – Chair, Linda J. LeZotte – Vice-Chair, Michael F. Kotowski, Manh Nguyen, Teresa O'Neill, Greg Scharff, Rod Sinks, Jan Pepper, Cat Tucker, Mike Wasserman

1. Call to Order and Roll Call

Called to order at 5:35, 4 commissioners present (Griffith, Kotoswski, LeZotte, Nguyen) no quorum; items taken out of order, beginning with Item #8 – Sunnyvale’s Pilot Residential Food Scraps Program. Mark Bowers began his presentation and three more commissioners arrived (Tucker, O’Neill, Pepper) making quorum.

2. Special Orders of the Day

None.

3. Public Presentations

See item #7 below (not sure if this is the best way to do this – but the Comment did come during that part of the discussion and would seem out of place if I put it up here)

4. Consent Calendar

Commissioner LeZotte motioned approval of the Consent Calendar; Commissioner Nguyen seconded and all voted to approve.

5. Election of Officers

Lisa Rose opened the floor for nominations for Chair. Commissioner LeZotte nominated Commissioner Griffith who accepted. Commissioner Sinks seconded. No other nominations were made. A vote was taken and the motion passed unanimously.

Chair Griffith opened the floor for nominations for Vice-Chair; Commissioner O’Neill nominated Commissioner LeZotte to serve as Vice-Chair. She accepted and Commissioner Tucker seconded. No other nominations were made. A vote was taken and the motion passed unanimously.

6. Legislative Session Recap

Mark began his presentation by stating that there is no current Biomass legislation; farmers are not interested in paying to go to biomass facilities. Their preference is to burn agriculture waste in the Central Valley which will be terrible for the air quality there. Mark was unable to get any traction on the issue; forest biomass is getting attention at the state level, but urban biomass/wood waste is not. There are older and newer biomass plants and the older ones don’t want to spend money to update their facilities to current standards and the newer ones don’t want to get the same subsidy as the old guys since they paid to have clean, updated facilities. There is no uniform presence to the legislature at this time.

- SB 270 passed (statewide bag ban); Plastic bag makers qualified a referendum to block the law from taking effect; Sunnyvale City Council supports Yes on Prop 67, which would retain SB 270; No on Prop 65; a CalMatters article picked up by many newspapers said that there are still approximately 15 million bags distributed statewide annually, but there was a math error. The correct number is 15 BILLION.
- AB 45 – failed to pass; but not going away; this was an anti-EPR (extended producer responsibility) bill pushed by big pharma; failure of AB 45 may encourage Pharma to sit down and talk with proponents of product stewardship.
- AB 1669 – In garbage franchise procurements, requires 10% price preference for haulers who will retain existing employees

- AB 2153 – state is spending lots of money cleaning up lead acid battery plant in Southern California, and there may be others; to fund the work, this bill taps "core charge" system for lead acid battery purchases to move \$2 per battery into a cleanup fund; these batteries have the highest recycling rate of any product, 98%+; we hope that financial changes do not mess up the incentives for recycling
- SB 778 – Vetoed by Governor Brown. May come back in next session--this was the automotive oil changing bill that would have made auto shops recommend oil changes only at intervals recommended by manufacturers. Oil change services like Jiffy Lube and Oil Changers were brought into the discussion so far as state regulation of oil change technicians, who are not currently regulated by the Bureau of Automotive Repair.
- SB 1383 – climate change bill – Targets 50% reduction in organics to landfill by 2010, 75% by 2025. These may turn into mandates for local governments.

7. 2017 Legislative Priorities*

Tony Eulo, TAC Chair, noted that the TAC reviews the legislative priorities each year and amend them as needed before presenting them to the Commission. Once reviewed and approved by the Commission staff forwards to the Board of Supervisors for adoption. There were no changes recommended to the priorities for the coming year.

PUBLIC COMMENT from Item #4 Doug Muirhead had a comment to support producer take back; he noted that he is encouraged with the take back for packaging but would like to see more legislation to make repairable products. He wanted to put in a plug for the Palo Alto Repair Café; he noted that he is frustrated that the County's priorities are not being supported by the state – recycling centers closing due to low commodity prices; biomass facilities closing and regulatory landfills changing methane capture due to BAAQMD restrictions. He is discouraged that many of these issues not supported by the state.

Related to Mr. Muirhead's comments, Chair Griffith wondered if permitting a biomass facility is a challenging process and might be included; Tony noted that priority number four (4) covers it for the most part, but will add streamlining the permitting process for these facilities if TAC feels appropriate.

Commissioner Sinks asked how the increase of community energy programs is affecting biomass and how it is being treated in these programs; Eulo said the price for this energy source is too high and utilities are getting lower pricing for solar energy. Would it be possible for community choice energy program to consider buying energy from biomass? Eulo replied and Commissioner Pepper confirmed that biomass is a renewable source. Commissioner Sinks pointed out that it is not, however, greenhouse gas free. Commissioner Nguyen motioned to approve with the TAC reviewing permitting process; seconded and passed unanimously.

8. Sunnyvale Pilot Residential Food Scraps Program

Mark Bowers gave a presentation on Sunnyvale's pilot residential food scraps program (PowerPoint in packet) and responded to questions from the Commissioners.

The pilot program aligns with Sunnyvale's Zero Waste Strategic Plan, meets their Climate Action Plan and greenhouse gas reductions goals. Organics is the largest part of waste stream remaining at 33%.

Commissioner Pepper asked if the new program requires new trucks. Mark responded that new trucks are required to service split carts and that the trucks and the carts are slightly more expensive. He noted too that with the split cart, there is no need for a fourth truck along residential routes.

A question was asked who the hauler is for this project and Mark responded that it is Bay Counties Waste Service.

Commissioner Pepper also noted that in Los Altos all the organics go into one cart and asked why Sunnyvale's pilot program separated food from yard trim. Mark noted that this is to get the highest and best use of each commodity. Those who collect and process yard trim don't want food waste to contaminate that and vice versa – more economical value to end user to separate; need to look at market and work with facilities to get permitted. Pre-processing of mash becomes a valuable commodity – other folks need it for digesters, and other uses - net cost increase to Sunnyvale is about 220k per year.

9. Announcements and Future Agenda Items

Commissioner Griffith announced this is Commissioner Kotowski's last meeting. The Chair thanked him for his years of service and wishes him well in his future endeavors.

Commissioner Tucker would like an update on single serve coffee pods; has there been any movement to recycle or compost them? Commissioner Sinks said Europe is recycling the Nescafe capsules.

Commissioner Sinks said in Cupertino they were reviewing organics; looked at what Sunnyvale is doing with SAFE and thought they might be interested – impressed with what they are doing;

10. Adjournment

The meeting was adjourned at 6:40 p.m.

Consent Calendar – Items will be considered under Item No. 4. Items removed from the consent calendar will be considered at the end of the regular agenda.

11. Approval of Minutes from March 2, 2016 Special RWRC Meeting*

12. Approved May, July, September 2016 TAC Minutes

13. 16th Amendment to the Amendment to the Non-Disposal Facility Element (NDFE)

The County of Santa Clara has submitted the Sixteenth Amendment to the NDFE to CalRecycle. The new factsheet is for Leo Recycle located at 215 Leo Ave, San Jose, CA 95112 in San Jose. The process of amending NDFEs has changed pursuant to AB341, where there are no longer specific regulatory requirements for public noticing or approval. The NDFE shall be provided to CalRecycle and the local task force but is not subject to review or comment.

14. Five-Year Report*

Countywide Five-Year Integrated Waste Management Plan due in 2016 has been completed. Concludes that the County maintains 15-years of landfill capacity based on current projections.

